

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 07 CV 3310

Purchased/Filed: April 25, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN COUNTY

Direct Investment Partners AG

Plaintiff

against

Cerberus Global Investments, LLC, Cerberus Capital Management, L.P., et al.

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on May 7, 2007, at 11:45am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Summons in a Civil Case, Complaint, Rule 7.1 Statement, Individual Practice Rules of Judge Stanton and Individual Practice Rules of Magistrate Judge Ellis Bearing the above Index # and Filing Date on

Cerberus Capital Management, L.P., the

Defendant in this action, by delivering to and leaving with Donna Christie, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; That said service was made pursuant to Section 121-109 Revised Limited Partnership Act.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 38 Approx. Wt: 140 Approx. Ht: 5'6

Color of skin: White Hair color: Blonde Sex: Female Other: _____

Sworn to before me on this

7th day of May 2007

Deborah A Bottisti (Bella)

DEBORAH A BOTTISTI
NOTARY PUBLIC, State of New York
No 01BO6036756, Qualified in Albany County
Commission Expires February 7, 2010

Jessica Miller
Jessica Miller

Invoice•Work Order # 0611471

State of New York - Department of State
Receipt for Service

Receipt #: 200705080094

Cash #: 200705080094

Date of Service: 05/07/2007

Fee Paid: \$40 - DRAWDOWN

Service Company: 05 ATTORNEY'S PROCESS & RESEARCH SERVICES -

Service was directed to be made pursuant to: SECTION 121-109 OF THE REVISED
LIMITED PARTNERSHIP ACT

Party Served: CERBERUS CAPITAL MANAGEMENT, L.P.

Plaintiff/Petitioner:

DIRECT INVESTMENT PARTNERS AG

Service of Process Address:

CERBERUS CAPITAL MANAGEMENT, L.P.

450 PARK AVENUE

28TH FLOOR

NEW YORK, NY 10022

Secretary of State
By DONNA CHRISTIE